

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

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WESTERN ORGANIZATION OF
RESOURCE COUNCILS,

Plaintiff,

vs.

DAN BROUILLETTE, in his official
capacity as Secretary of Energy;
UNITED STATES DEPARTMENT
OF ENERGY,

Defendants.

Case No. 4:20-cv-98-BMM

**DEFENDANTS' MOTION TO
DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6),

Defendants move to dismiss the complaint, Doc. 1, in the above-captioned
action. The reasons in support of this motion are set forth in a separate
memorandum filed separately. In compliance with Local Rule 7.1(c)(1),

Defendants contacted Plaintiff, and Plaintiff indicated that it will oppose this motion.

Respectfully submitted this 21st day of December, 2020,

JEFFREY BOSSERT CLARK
Assistant Attorney General

ELIZABETH J. SHAPIRO
Assistant Branch Director

/s/ Cody T. Knapp
CODY T. KNAPP
Trial Attorney
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